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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 L&M TIRE COMPANY, INC., a
12 California corporation, dba EXPRESS
TIRE,

13 Plaintiff,

14 v.

15 MYERS TIRE SUPPLY DISTRIBUTION,
16 INC., an Ohio corporation, and DOES 1-
10, inclusive,

17 Defendant.
18

CASE NO.: 09-CV-0453 IEG (POR)

ORDER OF DISMISSAL

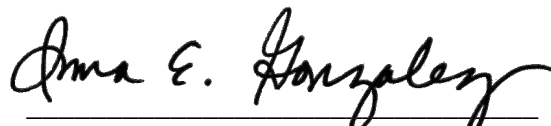
[Doc. No. 23]

Action Filed: February 5, 2009
Trial Date: None set

19 Before the Court is the parties' Stipulation of Dismissal, which was filed on September
20 11, 2009. [Doc. No. 23]. Having considered the parties' stipulation, and GOOD CAUSE
21 appearing, IT IS HEREBY ORDERED that the Complaint for Breach of the Implied Warranty of
22 Merchantability be dismissed WITH PREJUDICE.

23 **IT IS SO ORDERED.**

24
25 **DATE: September 24, 2009**



26 **IRMA E. GONZALEZ, Chief Judge**
27 **United States District Court**
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